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 Board of Psychological Examiners and  
 Board of Marriage and Family Therapy Examiners

FILED WITH THE BOARD OF  
 PSYCHOLOGICAL EXAMINERS  
 ON January 18, 2005 *EE*

**CERTIFIED TO BE  
 A TRUE COPY**

STATE OF NEW JERSEY  
 DEPARTMENT OF LAW & PUBLIC SAFETY  
 DIVISION OF CONSUMER AFFAIRS  
 BOARD OF PSYCHOLOGICAL EXAMINERS  
 BOARD OF MARRIAGE AND FAMILY  
 THERAPY EXAMINERS

IN THE MATTER OF THE LICENSES OF	:	
	:	Administrative Action
DONALD SCHILDHAUS	:	
Psych. License No. 35SI00078100	:	FINAL ORDER
MFT License No. 37FI00046400	:	OF DISCIPLINE
	:	
TO PRACTICE PSYCHOLOGY AND	:	
MARRIAGE AND FAMILY THERAPY	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Psychological Examiners and the New Jersey State Board of Marriage and Family Therapy Examiners (the "Boards") upon receipt of information which the Boards have reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, Donald Schildhaus, License No. 35SI00078100, is a Psychologist licensed in the State of New Jersey and has been licensed at all times relevant hereto.

2. Respondent, License No. 37FI00046400, is a Marriage and Family Therapist licensed in the State of New Jersey and has been licensed at all times relevant hereto.

3. On or about December 13, 2001, Respondent was convicted of Conspiracy 4<sup>th</sup> Degree, a Class E Felony, in New York Superior Court, County of Nassau, for conspiring to obtain a gun in order to assist his wife to take her own life.

4. On November 10, 2003, Respondent gave testimony at an investigative inquiry before a committee of the Boards and admitted he was convicted of Conspiracy, 4<sup>th</sup> degree, and that the criminal matter involved C.J., a patient referred by the criminal justice system, whom he asked to get him a gun. Respondent further testified that as a result of the conviction he served two months in prison and is currently on probation.

5. Respondent has been the subject of prior disciplinary action by the State Board of Psychological Examiners. On or about April 15, 1983, the State Board of Psychological Examiners entered a Final Order formally reprimanding Respondent and placing Respondent on probation for one year. Respondent was assessed a civil penalty in the amount of \$250.00. The disciplinary action taken by the Board was based on a finding that Respondent violated N.J.S.A. 45:14B-24(c), in that Respondent was convicted of a crime involving moral turpitude and/or a crime relating adversely to the practice regulated by the Board in violation of N.J.S.A. 45:1-21. Specifically, on or about June 7, 1977, Respondent was convicted upon a plea of

guilty to one count (Count 11) of grand larceny 3<sup>rd</sup> degree, Class E felony, in that he stole lawful currency of the United States of America, having an aggregate value in excess of \$250.00 from the Department of Social Services of the County of Nassau, State of New York, by submitting to that agency and receiving payment of claims for professional services allegedly rendered to a patient when in fact such services were not rendered.

CONCLUSION OF LAW

1. The above criminal action taken by the State of New York on or about December 13, 2001, against Respondent provides ground to take disciplinary action against Respondent's licenses to practice psychology and marriage and family therapy in New Jersey pursuant to N.J.S.A. 45:1-21(f) in that Respondent has been convicted of, or engaged in acts constituting, a crime or offense involving moral turpitude or relating adversely to the activities regulated by the Boards and constitute professional misconduct pursuant to N.J.S.A. 45:1-21(e). In addition, the aforementioned violation constitute a second violation of an act or regulation administered by the Board of Psychological Examiners pursuant to N.J.S.A. 45:1-25.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline revoking Respondent's licenses to practice psychology and marriage and family therapy in New Jersey was entered on September 27, 2004, and a copy was forwarded to Respondent's legal counsel Michael E. Quiat, Esq., by certified mail. The Provisional Order was subject to finalization by the

Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons thereof.

Although the record reflects that the Provisional Order was served upon Respondent, no response has been received to date. Accordingly the Boards considered the matter, determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 18<sup>th</sup> day of January, 2005,  
ORDERED AND AGREED THAT:

1. Respondent's licenses to practice psychology and marriage and family therapy in New Jersey are hereby revoked. Both licenses shall be delivered forthwith to Elaine DeMars, Managing Executive Director, State Board of Psychological Examiners, P.O. Box 45017, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

2. Respondent shall cease and desist from any practice of psychology and marriage and family therapy in the State of New Jersey effective upon entry of this Order.

3. Respondent is hereby assessed a civil penalty in the amount of \$5,000.00.

4. Respondent shall pay the costs of the investigation in the amount \$11,471.87.

5. Respondent shall pay the above penalty and cost, totaling \$16,471.87 to the Boards within thirty (30) days of its imposition by Final Order of the Boards. Payment shall be submitted to the Boards by certified check or money order made payable to the State of New Jersey. The payment shall be sent to Elaine DeMars, Managing Executive Director, State Board of Psychological Examiners, P.O. Box 45017, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101. In the event of non-payment by the due date the Boards may file a certificate of debt and institute proceedings for collection of costs and attorney fees.

6. In the event that Respondent files an application for licensure or a petition for reinstatement by either or both Boards in the State of New Jersey, Respondent shall be required to appear before the Boards or a committee thereof to demonstrate fitness to resume practice, to show that he has satisfied all requirements of the within Order and any New York disposition. Respondent must comply with all laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed. The Board reserves the right to place restrictions on Respondent's practice should his license be reinstated.

STATE BOARD OF PSYCHOLOGICAL EXAMINERS

*Victoria Jeffers, Ph.D.*

Victoria Jeffers, Ph.D.

Chair

STATE BOARD OF MARRIAGE AND FAMILY  
THERAPY EXAMINERS

*Florence Schatten, Ed.S.*

Florence Schatten, Ed.S.

Chair



Compliance For Donald I. Schildhaus, Ed.D.

Violations | Actions | Citation | Monetary Penalties | Restitution | Limits | Monitoring

From: Board Violation: (none)

Complaint #	Docket #	Cause #	State	Start	End	Action
Practicing Psychologist license #35S100078100:						
2002-000000393:			NJ	01/18/2005	02/18/2005	Fine/Penalty-stay
2002-000000393:			NJ	01/18/2005	00/00/0000	Revocation-Stay
2002-000000393:			NJ	01/18/2005	02/18/2005	Cost

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Compliance For Donald I. Schildhaus, Ed.D.

Violations Actions Citation Monetary Penalties Restitution Limits Monitoring

From: Board Violation: (none)

Complaint #	Docket #	Cause #	State	Start	End	Action
Practicing Psychologist license #35SI00078100:						
2002-000000403:			NJ	01/18/2005	02/18/2005	Fine/Penalty-stay
2002-000000403:			NJ	01/18/2005	00/00/0000	Revocation-retur
2002-000000403:			NJ	01/18/2005	02/18/2005	Cost

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